AMENDMENTS TO THE CLAIMS:

The following listing of claims will replace all prior versions and listings of claims in this application:

1. (Currently Amended) A system for dynamic scheduling of broadcast digital data content to client devices, said digital data content available from one or more sources, and said scheduling based on type of data and activity of said system, said system comprising:

a digital radio broadcast system comprising one or more gateways, said one or more gateways being configured for receiving and intelligently broadcasting ~~said~~ one or more selections of digital data content, said one or more gateways comprising:

a scheduler for receiving said data content, said scheduler being configured for separating said received data content into a first data type and a second data type;

said ~~scheduler, scheduling broadcast of~~ scheduler being configured for scheduling said first data type ~~of data content~~ to be broadcast via digital radio transmission to said client devices during selective first broadcast periods;

said ~~scheduler, scheduling broadcast of~~ scheduler being configured for scheduling said second data type ~~of data content~~ to be broadcast via digital radio transmission to said client devices during selective second broadcast periods; ~~and~~

said data content enabled for use during a scheduled time period after a recombination of said broadcasted first data type and second data type ~~types of data content~~ at said client devices.

2. (Original) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 1, wherein said first data-type requires a high bandwidth and said second data type requires a relatively lower bandwidth.

3. (Original) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 1, wherein rendering of said recombined data is performed upon reception of an instruction to enable a flag, said flag received by said client devices from said scheduler.

4. (Currently Amended) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 3, wherein said scheduler broadcasts to said client

devices a time-to-live value that specifies a time interval that said client devices are to wait for the reception of said flag, and upon expiration of said time interval, said client ~~device~~ devices deleting at least a part of said recombined data.

5. (Original) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 1, wherein said first data-type comprises any of, or a combination of: images, fixed display data, graphics, song compilations, digital data purchases, maps, e-books, or newspapers.

6. (Currently Amended) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 1, wherein said second data type comprises any of, or a combination of: text or audio to accompany said images, fixed display data, or graphics; new songs, traffic conditions, and data to complete first data type downloads.

7. (Original) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 1, wherein said first broadcast period comprises low broadcast and/or client usage periods.

8. (Original) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 1, wherein said second broadcast period comprises high broadcast and/or client usage periods.

9. (Original) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 1, wherein said first broadcast period comprises a period of relative low activity of said broadcasts or client usage and said second broadcast period comprises relatively high activity of said broadcasts or client usage.

10. (Original) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 1, wherein first data-type is broadcast before said second data type.

11. (Currently Amended) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 10, wherein said first data type is broadcast with a deactivate flag enabled so that it will be stored at said client devices, but not activated for immediate use.

12. (Currently Amended) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 11, wherein said second data type is broadcast with a deactivate flag enabled so that it will be stored at said client devices, but not activated for immediate use.

13. (Currently Amended) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 12, wherein when the data content is activated, a disable deactivate flag is broadcast to said client devices.

14. (Currently Amended) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 1, wherein said client ~~is~~ devices comprise a digital consumer electronics radio.

15. (Currently Amended) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 1, wherein said client ~~is~~ devices comprise any of a: handheld computer device, wireless telephone, radio telephone, portable computer, or consumer electronics.

16. (Original) A system for dynamic scheduling of broadcast digital data content to client devices, as per claim 1, wherein said data content sources include any of, or a combination of: electronic advertisers, the Internet, the world wide web, ISPs, or connected digital libraries.

17. (Currently Amended) A method for dynamic scheduling of broadcast digital data content to client devices, said method comprising:

receiving data content from content providers;

separating said data content into a first data type and a second data type;

scheduling said first data type to be broadcast via digital radio transmission during a first time period;

scheduling said second data type to be broadcast via digital radio transmission during a second time period;

broadcasting via digital radio transmission to one or more ~~clients~~ client devices said first and second data types during their respective time periods such that they can be appropriately recombined at said ~~clients~~ client devices; and

sending an activation message to said ~~client~~ one or more client devices to activate use of ~~said~~ recombined first and second data types during a scheduled time period.

18. (Currently Amended) A method for dynamic scheduling of broadcast digital data content to client devices, as per claim 17, wherein said method further comprises the step of sending a cancellation message to said ~~client~~ one or more client devices to delete at least a part of said recombined data.

19. (Original) A method for dynamic scheduling of broadcast digital data content to client devices, as per claim 17, wherein said first data type requires a high bandwidth and said second data type requires a relatively lower bandwidth.

20. (Original) A method for dynamic scheduling of broadcast digital data content to client devices, as per claim 17, wherein said first data type comprises any of, or a combination of: images, fixed display data, graphics, song compilations, digital data purchases, maps, e-books, or newspapers.

21. (Currently Amended) A method for dynamic scheduling of broadcast digital data content to client devices, as per claim 20, wherein said second data type comprises any of, or a combination of: text or audio to accompany said images, fixed display data, or graphics; new songs, traffic conditions, and data to complete first data type downloads.

22. (Original) A method for dynamic scheduling of broadcast digital data content to client devices, as per claim 17, wherein said first broadcast period comprises low broadcast and/or client usage periods.

23. (Original) A method for dynamic scheduling of broadcast digital data content to client devices, as per claim 17, wherein said second broadcast period comprises high broadcast and/or client usage periods.

24. (Original) A method for dynamic scheduling of broadcast digital data content to client devices, as per claim 17, wherein said first broadcast period comprises a period of relative low activity of said broadcasts or client usage and said second broadcast period comprises relatively high activity of said broadcasts or client usage.

25. (Original) A method for dynamic scheduling of broadcast digital data content to client devices, as per claim 17, wherein first data type is broadcast before said second data type.

26. (Currently Amended) A method for dynamic scheduling of broadcast digital data content to client devices, as per claim 25, wherein said first data type is broadcast with a non-enable flag so that it will be stored at said ~~client~~ one or more client devices, but not enabled for immediate use.

27. (Currently Amended) A method for dynamic scheduling of broadcast digital data content to client devices, as per claim 26, wherein said second data type is broadcast with a non-enable flag so that it will be stored at said ~~client~~ one or more client devices, but not enabled for immediate use.

28. (Currently Amended) A method for dynamic scheduling of broadcast digital data content to client devices, as per claim 17, wherein said step of enabling the use of the combined data types includes transmission of an enable flag to said ~~client~~ one or more client devices.

29. (Currently Amended) A method for dynamic scheduling of broadcast digital data content to client devices, as per claim 17, wherein said ~~client is~~ one or more client devices comprise a digital consumer electronics radio.

30. (Currently Amended) A method for dynamic scheduling of broadcast digital data content to client devices, as per claim 17, wherein said ~~client is~~ one or more client devices comprise any of a: handheld computer device, wireless telephone, radio telephone, portable computer, or home consumer electronics.

31. (Original) A method for dynamic scheduling of broadcast digital data content to client devices, as per claim 17, wherein said data content sources include any of, or a combination of: advertisers, the Internet, the world wide web, ISPs, or connected digital libraries.

32. (Currently Amended) A method for dynamic ~~scheduling~~ processing of broadcast digital data content ~~for client devices~~, said method comprising:

receiving first data content from a digital radio broadcast source;

storing in local storage said first data content as background data;

receiving second data content, said second data content comprising any of, or a combination of: missing data from said first data content, new data associated with said first data content, new data unrelated to said background data, and changes in data previously received;

combining associated first and second data content; and

activating any of said received first data content, second data content or said combined associated data content during a specific scheduled time period.

33. (Currently Amended) A method for dynamic ~~scheduling~~ processing of broadcast digital data content ~~for client devices~~, as per claim 32, wherein said first data content requires a high bandwidth and said second data content requires a relatively lower bandwidth.

34. (Currently Amended) A method for dynamic ~~scheduling~~ processing of broadcast digital data content ~~for client devices~~, as per claim 32, wherein said first data content comprises any of, or a combination of: images, fixed display data, graphics, song compilations, digital data purchases, or maps.

35. (Currently Amended) A method for dynamic ~~scheduling~~ processing of broadcast digital data content ~~for client devices~~, as per claim 32, wherein said second data content comprises any of, or a combination of: text or audio to accompany said images, fixed display data, or graphics; new songs, traffic conditions, and data to complete said first data content.

36. (Currently Amended) A method for dynamic ~~scheduling~~ processing of broadcast digital data content ~~for client devices~~, as per claim 32, wherein said first data content is received during low broadcast and/or client usage periods.

37. (Currently Amended) A method for dynamic ~~scheduling~~ processing of broadcast digital data content ~~for client devices~~, as per claim 32, wherein said second data content is received during high broadcast and/or client usage periods.

38. (Currently Amended) A method for dynamic ~~scheduling~~ processing of broadcast digital data content ~~for client devices~~, as per claim 32, wherein said first data content is received during a period of relative low activity of said broadcasts or client usage and said second data content is received during relatively high activity of said broadcasts or client usage.

39. (Currently Amended) A method for dynamic ~~scheduling~~ processing of broadcast digital data content ~~for client devices~~, as per claim 32, wherein first data content is received before said second data content.

40. (Currently Amended) A method for dynamic ~~scheduling~~ processing of broadcast digital data content ~~for client devices~~, as per claim 32, wherein said first data content is received with a non-enable flag so that it will be stored, but not enabled for immediate use.

41. (Currently Amended) A method for dynamic ~~scheduling~~ processing of broadcast digital data content ~~for client devices~~, as per claim 40, wherein said second data content is received with a non-enable flag so that it will be stored, but not enabled for immediate use.

42. (Currently Amended) A method for dynamic ~~scheduling~~ processing of broadcast digital data content ~~for client devices~~, as per claim 32, wherein said activating step includes receiving of an enable flag at said client.

43. (Currently Amended) A method for dynamic ~~scheduling~~ processing of broadcast digital data content ~~for client devices~~, as per claim 32, wherein said client is a digital consumer electronics radio.

44. (Currently Amended) A method for dynamic ~~scheduling~~ processing of broadcast digital data content ~~for client devices~~, as per claim 32, wherein said client is any of a:

handheld computer device, wireless telephone, radio telephone, portable computer, or consumer electronics.

45. (Currently Amended) A method for dynamic ~~scheduling~~ processing of broadcast digital data content ~~for client devices~~, as per claim 32, wherein said data content originates from any of, or a combination of: advertisers, the Internet, the world wide web, ISPs, or connected digital libraries.

46. (Currently Amended) A ~~business model comprising a series of steps for generating revenue, said steps including~~ method for dynamic scheduling of broadcast digital data content to client devices, said client devices subscribing to one or more data content downloads, said ~~model~~ method comprising:

receiving data content from content providers;

separating said data content into a first data type and a second data type;

scheduling said first data type to be broadcast via digital radio transmission during a first time period;

scheduling said second data type to be broadcast via digital radio transmission during a second time period;

broadcasting via digital radio transmission to one or more ~~clients~~ client devices said first and second data types during their respective time periods such that they can be appropriately recombined at said ~~clients~~ one or more client devices;

detecting a successful completion of bulk delivery of said data content to ~~clients~~ said one or more client devices with an uplink device;

sending an activation message to said ~~client~~ one or more client devices to activate use of said data content during a scheduled time period; and

monitoring said client use of said data content to charge corresponding usage fees.

47. (New) A system for dynamic processing of broadcast digital data content, comprising:

a processing unit; and

a memory,

wherein the processing unit is configured to execute steps of:

receiving data content from content providers;

separating said data content into a first data type and a second data type;

scheduling said first data type to be broadcast via digital radio transmission during a first time period;

scheduling said second data type to be broadcast via digital radio transmission during a second time period;

communicating said first and second data types to a digital radio broadcast system for digital radio broadcast to one or more client devices during the respective time periods such that said first and second data types can be appropriately recombined at said one or more client devices; and

communicating information to the digital radio broadcast system to cause the digital radio broadcast system to send an activation message to said one or more client devices to activate use of recombined first and second data types during a scheduled time period.

48. (New) A system for dynamic processing of broadcast digital data content, comprising:

a processing unit; and

a memory,

wherein the processing unit is configured to execute steps of:

receiving first data content from a digital radio broadcast source;

storing in local storage said first data content as background data;

receiving second data content, said second data content comprising any of, or a combination of: missing data from said first data content, new data associated with said first data content, new data unrelated to said background data, changes in data previously received;

combining associated first and second data content; and

activating any of said received first data content, second data content or said combined associated data content during a specific scheduled time period.

49. (New) A computer readable medium having embodied therein computer instructions adapted for dynamic processing of broadcast digital data content, said instructions being adapted to cause a processing unit to execute steps of:

receiving data content from content providers;

separating said data content into a first data type and a second data type;

scheduling said first data type to be broadcast via digital radio transmission during a first time period;

scheduling said second data type to be broadcast via digital radio transmission during a second time period;

communicating said first and second data types to a digital radio broadcast system for digital radio broadcast to one or more client devices during the respective time periods such that said first and second data types can be appropriately recombined at said one or more client devices; and

communicating information to the digital radio broadcast system to cause the digital radio broadcast system to send an activation message to said one or more client devices to activate use of recombined first and second data types during a scheduled time period.

50. (New) A computer readable medium having embodied therein computer instructions adapted for dynamic processing of broadcast digital data content, said instructions being adapted to cause a processing unit to execute steps of:

receiving first data content from a digital radio broadcast source;

storing in local storage said first data content as background data;

receiving second data content, said second data content comprising any of, or a combination of: missing data from said first data content, new data associated with said first data content, new data unrelated to said background data, changes in data previously received;

combining associated first and second data content; and

activating any of said received first data content, second data content or said combined associated data content during a specific scheduled time period.